

House Engrossed

State of Arizona
House of Representatives
Forty-sixth Legislature
First Regular Session
2003

CHAPTER 68

HOUSE BILL 2057

AN ACT

AMENDING SECTIONS 42-1001 AND 43-105, ARIZONA REVISED STATUTES; RELATING TO
TAXATION.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:

2 Section 1. Section 42-1001, Arizona Revised Statutes, is amended to
3 read:

4 42-1001. Definitions

5 In this title, unless the context otherwise requires:

6 1. "Board" or "state board" means either the state board of tax
7 appeals or the state board of equalization, as applicable.

8 2. "Court" means the tax court or superior court, whichever is
9 applicable.

10 3. "Department" means the department of revenue.

11 4. "Director" means the director of the department.

12 5. "Internal revenue code" means the United States internal revenue
13 code of 1986, as amended and in effect as of ~~March 9, 2002~~ JANUARY 1, 2003,
14 including those provisions that became effective during 2001 2002 with the
15 specific adoption of their retroactive effective dates but excluding all
16 changes to the code enacted after ~~March 9, 2002~~ JANUARY 1, 2003.

17 Sec. 2. Section 43-105, Arizona Revised Statutes, is amended to read:

18 43-105. Internal revenue code; definition; application

19 A. FOR PURPOSES OF COMPUTING INCOME TAX PURSUANT TO THIS TITLE, FOR
20 TAXABLE YEARS BEGINNING FROM AND AFTER DECEMBER 31, 2002 THROUGH DECEMBER 31,
21 2003, "INTERNAL REVENUE CODE" MEANS THE UNITED STATES INTERNAL REVENUE CODE
22 OF 1986, AS AMENDED, IN EFFECT ON JANUARY 1, 2003, INCLUDING THOSE PROVISIONS
23 THAT BECAME EFFECTIVE DURING 2002 WITH THE SPECIFIC ADOPTION OF ALL FEDERAL
24 RETROACTIVE EFFECTIVE DATES, BUT EXCLUDING ANY CHANGE TO THE CODE ENACTED
25 AFTER JANUARY 1, 2003.

26 ~~A.~~ B. For purposes of computing income tax pursuant to this title,
27 for taxable years beginning from and after December 31, 2001 through December
28 31, 2002, "internal revenue code" means the United States internal revenue
29 code of 1986, as amended, in effect on March 9, 2002, including those
30 provisions that became effective during 2001 with the specific adoption of
31 all federal retroactive effective dates, but excluding any change to the code
32 enacted after March 9, 2002.

33 ~~B.~~ C. For purposes of computing income tax pursuant to this title,
34 for taxable years beginning from and after December 31, 2000 through December
35 31, 2001, "internal revenue code" means the United States internal revenue
36 code of 1986, as amended, in effect on January 1, 2001, including those
37 provisions that became effective during 2000 with the specific adoption of
38 all federal retroactive effective dates and including those provisions of the
39 economic growth and tax relief reconciliation act of 2001 (P.L. 107-16) and
40 the job creation and worker assistance act of 2002 (P.L. 107-147) that are
41 retroactively effective during taxable years beginning from and after
42 December 31, 2000 through December 31, 2001.

43 ~~C.~~ D. For purposes of computing income tax pursuant to this title,
44 for taxable years beginning from and after December 31, 1999 through December
45 31, 2000, "internal revenue code" means the United States internal revenue

1 code of 1986, as amended, in effect on January 1, 2000, including those
2 provisions that became effective during 1999 with the specific adoption of
3 all federal retroactive effective dates and including those provisions of the
4 community renewal tax relief act of 2000 (P.L. 106-554), the installment tax
5 correction act of 2000 (P.L. 106-573), FSC repeal and extraterritorial income
6 exclusion act of 2000 (P.L. 106-519), the trade and development act of 2000
7 (P.L. 106-200), the economic growth and tax relief reconciliation act of 2001
8 (P.L. 107-16) and the job creation and worker assistance act of 2002 (P.L.
9 107-147) that are retroactively effective during taxable years beginning from
10 and after December 31, 1999 through December 31, 2000.

11 ~~D.~~ E. For purposes of computing income tax pursuant to this title,
12 for taxable years beginning from and after December 31, 1998 through December
13 31, 1999, "internal revenue code" means the United States internal revenue
14 code of 1986, as amended, in effect on January 1, 1999, including those
15 provisions that became effective during 1998 with the specific adoption of
16 all federal retroactive effective dates and including those provisions of the
17 miscellaneous trade and technical corrections act of 1999 (P.L. 106-36), the
18 ticket to work and work incentives improvement act of 1999 (P.L. 106-170),
19 the community renewal tax relief act of 2000 (P.L. 106-554) and the
20 installment tax correction act of 2000 (P.L. 106-573) that are retroactively
21 effective during taxable years beginning from and after December 31, 1998
22 through December 31, 1999.

23 ~~E.~~ F. For purposes of computing income tax pursuant to this title,
24 for taxable years beginning from and after December 31, 1997 through December
25 31, 1998, "internal revenue code" means the United States internal revenue
26 code of 1986, as amended, in effect on January 1, 1998, including those
27 provisions that became effective during 1997 with the specific adoption of
28 all federal retroactive effective dates and including those provisions of the
29 IRS restructuring and reform act of 1998 (P.L. 105-206), the tax and trade
30 relief extension act of 1998 (P.L. 105-277), the surface transportation
31 revenue act of 1998 (P.L. 105-178) and the miscellaneous trade and technical
32 corrections act of 1999 (P.L. 106-36) that are retroactively effective during
33 the taxable years beginning from and after December 31, 1997 through December
34 31, 1998.

35 ~~F.~~ G. For purposes of computing income tax pursuant to this title,
36 for taxable years beginning from and after December 31, 1996 through December
37 31, 1997, "internal revenue code" means the United States internal revenue
38 code of 1986, as amended, in effect on January 1, 1997, including those
39 provisions that became effective during 1996 with the specific adoption of
40 all federal retroactive effective dates and including the provisions of the
41 taxpayer relief act of 1997 (P.L. 105-34), the IRS restructuring and reform
42 act of 1998 (P.L. 105-206) and the tax and trade relief extension act of 1998
43 (P.L. 105-277) that are retroactively effective during taxable years
44 beginning from and after December 31, 1996 through December 31, 1997.

1 ~~G.~~ H. For purposes of computing income tax pursuant to this title,
2 for taxable years beginning from and after December 31, 1995 through December
3 31, 1996, "internal revenue code" means the United States internal revenue
4 code of 1986, as amended, in effect on January 1, 1996, including those
5 provisions that became effective during 1995 with the specific adoption of
6 their retroactive effective date and including those provisions of the small
7 business job protection act of 1996 (P.L. 104-188; 110 Stat. 1755), the
8 health insurance portability and accountability act of 1996 (P.L. 104-191;
9 110 Stat. 1936), the personal responsibility and work opportunity
10 reconciliation act of 1996 (P.L. 104-193; 110 Stat. 2105), the taxpayer
11 relief act of 1997 (P.L. 105-34), the IRS restructuring and reform act of
12 1998 (P.L. 105-206) and the tax and trade relief extension act of 1998
13 (P.L. 105-277) that are retroactively effective during taxable years
14 beginning from and after December 31, 1995 through December 31, 1996.

15 ~~H.~~ I. For purposes of computing income tax pursuant to this title,
16 for taxable years beginning from and after December 31, 1994 through December
17 31, 1995, "internal revenue code" means the United States internal revenue
18 code of 1986, as amended, in effect on January 1, 1995, including those
19 provisions that became effective during 1994 with the specific adoption of
20 their retroactive effective date and including those provisions of the small
21 business job protection act of 1996 (P.L. 104-188; 110 Stat. 1755), the
22 health insurance portability and accountability act of 1996 (P.L. 104-191;
23 110 Stat. 1936), the personal responsibility and work opportunity
24 reconciliation act of 1996 (P.L. 104-193; 110 Stat. 2105), the taxpayer
25 relief act of 1997 (P.L. 105-34), the IRS restructuring and reform act of
26 1998 (P.L. 105-206) and the tax and trade relief extension act of 1998 (P.L.
27 105-277) that are retroactively effective during taxable years beginning from
28 and after December 31, 1994 through December 31, 1995.

29 ~~I.~~ J. For purposes of computing income tax pursuant to this title,
30 for taxable years beginning from and after December 31, 1993 through December
31 31, 1994, "internal revenue code" means the United States internal revenue
32 code of 1986, as amended, in effect on January 1, 1994, including those
33 provisions that became effective during 1993 with the specific adoption of
34 their retroactive effective date and including those provisions of the small
35 business job protection act of 1996 (P.L. 104-188; 110 Stat. 1755), the
36 health insurance portability and accountability act of 1996 (P.L. 104-191;
37 110 Stat. 1936), the personal responsibility and work opportunity
38 reconciliation act of 1996 (P.L. 104-193; 110 Stat. 2105), the taxpayer
39 relief act of 1997 (P.L. 105-34), the IRS restructuring and reform act of
40 1998 (P.L. 105-206) and the tax and trade relief extension act of 1998 (P.L.
41 105-277) that are retroactively effective during taxable years beginning from
42 and after December 31, 1993 through December 31, 1994.

43 ~~J.~~ K. Except as provided in section 43-106, for purposes of computing
44 income tax pursuant to this title for taxable years beginning from and after
45 December 31, 1992 through December 31, 1993, "internal revenue code" means

1 the United States internal revenue code of 1986, as amended, in effect on
2 January 1, 1993, including those provisions that became effective during 1992
3 with the specific adoption of their retroactive effective date and including
4 those provisions of the small business job protection act of 1996 (P.L.
5 104-188; 110 Stat. 1755), the health insurance portability and accountability
6 act of 1996 (P.L. 104-191; 110 Stat. 1936), the personal responsibility and
7 work opportunity reconciliation act of 1996 (P.L. 104-193; 110 Stat. 2105),
8 the taxpayer relief act of 1997 (P.L. 105-34), the IRS restructuring and
9 reform act of 1998 (P.L. 105-206) and the tax and trade relief extension act
10 of 1998 (P.L. 105-277) that are retroactively effective during taxable years
11 beginning from and after December 31, 1992 through December 31, 1993.

12 ~~K. For purposes of computing income tax pursuant to this title, for~~
13 ~~taxable years beginning from and after December 31, 1991 through December 31,~~
14 ~~1992, "internal revenue code" means the United States internal revenue code~~
15 ~~of 1986, as amended, in effect on January 1, 1992, including those provisions~~
16 ~~that became effective during 1991 with the specific adoption of their~~
17 ~~retroactive effective date and including those provisions of the small~~
18 ~~business job protection act of 1996 (P.L. 104-188; 110 Stat. 1755), the~~
19 ~~health insurance portability and accountability act of 1996 (P.L. 104-191;~~
20 ~~110 Stat. 1936), the personal responsibility and work opportunity~~
21 ~~reconciliation act of 1996 (P.L. 104-193; 110 Stat. 2105) and the tax and~~
22 ~~trade relief extension act of 1998 (P.L. 105-277) that are retroactively~~
23 ~~effective during taxable years beginning from and after December 31, 1991~~
24 ~~through December 31, 1992.~~

APPROVED BY THE GOVERNOR APRIL 17, 2003.

FILED IN THE OFFICE OF THE SECRETARY OF STATE APRIL 18, 2003.

Passed the House March 4, 2003

by the following vote: 60 Ayes,

0 Nays, 0 Not Voting

Jake Flake
Speaker of the House

Norman L. Moore
Chief Clerk of the House

Passed the Senate April 10, 2003

by the following vote: 28 Ayes,

0 Nays, 2 Not Voting

Kenneth B. ...
President of the Senate

Charmie Billington
Secretary of the Senate

EXECUTIVE DEPARTMENT OF ARIZONA
OFFICE OF GOVERNOR

This Bill was received by the Governor this

14 day of April, 2003

at 3:11 o'clock P. M.

Sandra ...
Secretary to the Governor

Approved this 17 day of

April, 2003,

at 4:00 o'clock P. M.

Janice ...
Governor of Arizona

EXECUTIVE DEPARTMENT OF ARIZONA
OFFICE OF SECRETARY OF STATE

This Bill was received by the Secretary of State

this 18 day of April, 2003

at 11:18 o'clock A. M.

Janice ...
Secretary of State